II. REMARKS

Preliminary Remarks

Based upon the foregoing amendment and remarks, reconsideration and allowance of the present application are respectfully requested. Claims 5, 7, 31 and 33 have been amended at the suggestion of the examiner. In addition, claim 30 has been canceled, while claims 35 and 36 have been added. Accordingly, claims 5, 7, 22-23, 28-29, 31-33 and 35-36 are currently pending in this application. Support for new claims 35-36 can be found on pages 15-16 of the originally filed specification. No new matter has been added.

This response is timely filed with a one month extension of time. The applicants request entry of the foregoing amendment, as it will place the application in condition for allowance. The applicants do not intend by these or any amendments to abandon subject matter of the claims as originally filed or later presented, and reserve the right to pursue such subject matter in continuing applications.

Patentability Remarks

A.   **Claim Objections**

On page 2 of the official action, the examiner objected to claims 5, 7, 22, 23 and 28-33 due to various informalities. The applicants have amended claims 5, 7, 31 and 33 (mistakenly identified by the examiner as claim 32) pursuant to the examiner's suggestions. The applicants believe that the examiner's objection of the aforementioned claims have been obviated and respectfully request that the examiner's objections be withdrawn.

B.   **35 U.S.C. § 112, Second Paragraph Rejection**

On page 3 of the official action, the examiner rejected claim 30 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

The applicants respectfully point out to the examiner that claim 30 has been canceled, thereby rendering the examiner's rejection moot. Accordingly, the applicants respectfully request that the examiner's rejection of claim 30 be withdrawn.

C.   35 U.S.C. § 112, First Paragraph Rejection

On page 3 of the official action, the examiner rejected claim 30 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The applicants respectfully point out to the examiner that claim 30 has been canceled, thereby rendering the examiner's rejection moot. Accordingly, the applicants respectfully request that the examiner's rejection of claim 30 be withdrawn.

Notwithstanding the cancellation of claim 30, the applicants submit herewith new claims 35 and 36. Because claims 35 and 36 are directed to vector essential to the claimed invention, the applicants submit herewith a declaration by Thomas A. Cawley, Jr. (Exhibit A), stating that the vectors described in the specification have been deposited under the Budapest Treaty and that the vectors will be irrevocably and without restriction or condition released to the public upon the issuance of the patent, thereby satisfying the enablement requirement of 35 U.S.C. § 112, first paragraph.

III. CONCLUSION

In view of the foregoing, the applicants believe that the claims are in form for allowance, and hereby respectfully solicit such action. If any point remains in issue which the examiner feels may be best resolved through a personal or telephone interview, the examiner is strongly urged to contact the undersigned at the telephone number listed below.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

By: _____

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August 14, 2006
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